CITY OF SUNNYVALE
REPORT
Administrative Hearing

November 10, 2004

SUBJECT: **2004-0711 – AT&T Wireless** [Applicant] **Cala Marie A And Vincent W Et Al** [Owners]: Application for a 5.4-acre site located at **1111 West El Camino Real** in a C-2 (Highway Business) Zoning District. (APN: 161-23-001) AM:

Motion **Use Permit** to allow rooftop antennas within three screened projections, 7 feet above an existing roof.

REPORT IN BRIEF

Existing Site Conditions Shopping Center

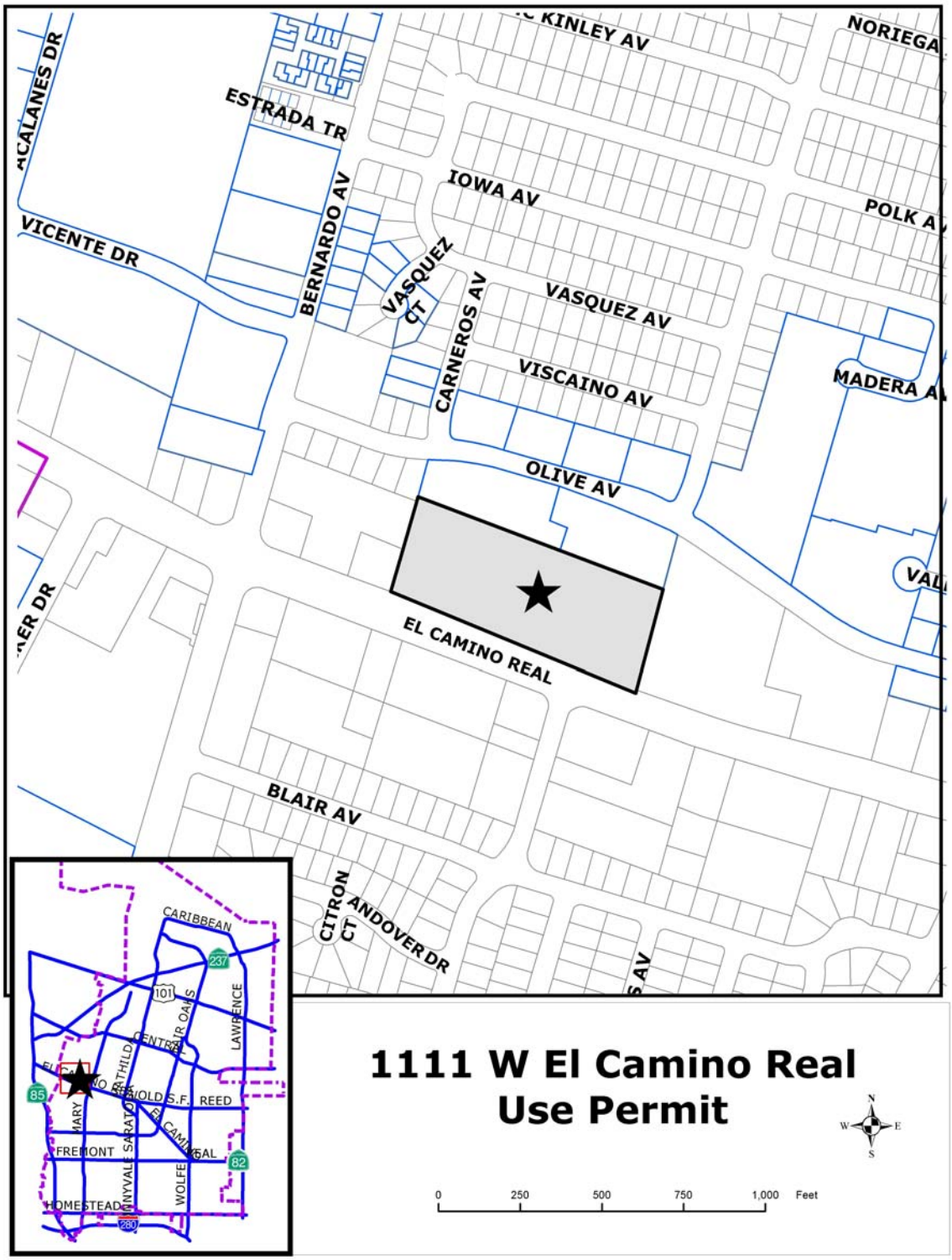
Surrounding Land Uses

North	Multi-family residential apartments
South	Commercial
East	Auto dealership
West	Commercial

Issues Visual impact of antennas

Environmental Status A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines.

Staff Recommendation Approve with Conditions


KINLEY AV
NORIEGA
ESTRADA TR
IOWA AV
POLK AV
VICENTE DR
BERNARDO AV
VASQUEZ CT
CARNEROS AV
VASQUEZ AV
VISCAINO AV
MADERA AV
OLIVE AV
EL CAMINO REAL
BLAIR AV
CITRON CT
ANDOVER DR
CARIBBEAN
LAWRENCE
REED
FREMONT
HOMESTEAD
1111 W El Camino Real
Use Permit
0 250 500 750 1,000 Feet

PROJECT DATA TABLE

	EXISTING	**PROPOSED**	**REQUIRED/ PERMITTED**
General Plan	CGB, Commercial General Business	Same	Same
Zoning District	C-2	Same	Same
Lot Size (s.f.)	5.48 acre 238,708 s.f.	Same	N/A
Gross Floor Area (s.f.) of equipment enclosures on roof	0	259 s.f.	N/A
Height of Proposed Antennas as measured from rooftop	N/A	7 ft.	15 ft. max with Minor Use Permit
Setbacks of equipment enclosure (facing prop.)			
• **Front**	N/A	262'0"	70'0"
• **Left Side**	N/A	664'0"	None
• **Right Side**	N/A	112'0"	None
• **Rear**	N/A	22'0"	None
Setbacks of antennas (facing prop.)			
• **Front**	N/A	258'0"	70'0"
• **Left Side**	N/A	617'0"	None
• **Right Side**	N/A	56'0"	None
• **Rear**	N/A	0'0"	None

ANALYSIS

Description of Proposed Project

The site is currently a multi-tenant commercial complex which includes general commercial uses, a restaurant and a produce store. The proposed structure upon which the antennas and equipment will be located is a one-story building at the rear of the property on the right side. All AT&T Wireless equipment will be located on this building and no parking will be removed.

The proposed nine antennas will be placed inside three separate structures at three different locations on the roof of the building. The antennas will be encased in three mock chimneys, known as radomes, which are made of fiberglass material and attached to the roof of the building. Each radome will be painted and textured to match the wall of the existing building.

The associated equipment will be placed on the roof of the building and will be screened by the existing parapet. This equipment area will be 259 sq. ft. and will be 7'0" tall, but will not extend above the parapet.

Background

The following table summarizes previous planning applications related to the subject site.

File Number	Brief Description	Hearing and Decision	Date
1981-0277	Use Permit to allow a 68,700 s.f. retail/office development.	Planning Commission Hearing Approved	4/7/81

Environmental Review

A Class 1 Categorical Exemption relieves this project from California Environmental Quality Act provisions and City Guidelines. Class 1 Categorical Exemptions include minor alterations to existing facilities.

Use Permit

Use: This communication facility will provide wireless telecommunications services for AT&T Wireless. This site is one of a network of transmit/receive facilities that carry signals between users on the network. This facility will be

serviced by a technician on an as-needed basis, which is typically once per month. The use meets the requirements of the Federal Communications Commission for radio frequency emissions.

Site Layout: The site is a commercial shopping center with various uses. The center consists mainly of one-story buildings as well as one two-story building. The subject building is a one-story building located immediately adjacent to the two-story building. The subject building has a long sloping tile roof and a zero-foot setback to the rear property line. The property is set back from El Camino Real approximately 223'0". The antennas structures are visible from the street (see Attachment 4, Photo Simulations).

Staff was concerned about the visual impact of the antennas on El Camino Real. As a result, the antenna design was amended, as described below.

Description of Antennas: The antennas will be placed inside three radome structures designed as chimney-like architectural elements at three locations on the roof of the one-story building. Two radomes will be placed at the front edge of the parapet at the left and right sides of the building. The third radome will be placed at the back left edge of the building. Each radome will be 7'0" above the existing building and will be 15 s.f. in size. The radomes will be textured and painted to match the building walls.

The original application proposed adding a new 207 s.f. structure 15'0" above the roof line of the building. After working with staff, the proposal has been reduced to 7'0" above the roof with antennas mounted in individual radomes in order to reduce the mass of the structures. The antennas need to be above the rooftop in order to transmit the signal and this height provides the applicant with the minimum height necessary. The radomes are placed in locations on the roof that will maximize the efficiencies of the radio signal at each location. Staff prefers reducing the size and mass of the antennas in order to reduce the visual impact of the project.

Equipment: The equipment shelter will be placed on the roof on steel girders that attach to structural elements of the building. The equipment will be screened from view by the existing parapet.

Parking/Circulation: The shelter will not take up any parking spaces on the property. Access to the equipment on the roof will be gained through a roof hatch on the right side of the building at the back of the property. Maintenance will occur approximately once a month and consists of a van or truck which will require one parking space.

Compliance with Development Standards and Expected Impact on the Surroundings

The following are sections of the Sunnyvale Municipal Code 19.54 that apply to the proposal:

19.54.040(a)- *Based on aesthetic impact, the order of preference for facility type is: façade mounted, roof mounted, ground mounted and freestanding tower.*

19.54.040(b)- *All facilities shall be designed to minimize the visual impact to the greatest extent feasible, considering technological requirements, by means of placement, screening, and camouflage, to be compatible with existing architectural elements and building materials, and other site characteristics. The applicant shall use the smallest and least visible antennas possible to accomplish the owner/operator's coverage objectives.*

19.54.040(k)- *Roof mounted antennas shall be constructed at the minimum height possible to serve the operator's service area. Roof mounted antennas shall be designed to minimize their visibility.*

This project has been designed to minimize visual impact and utilize existing infrastructure for antenna location. The proposed project meets the intent of the Telecommunications Ordinance. The only impact to surrounding areas would be the visual effect of the additional antennas, which have been revised in order to reduce that impact.

Findings, General Plan Goals and Conditions of Approval

The application as currently proposed reduces the visual impacts of the project. Staff was able to make the required Findings based on the justifications for the Use Permit.

- Findings and General Plan Goals are located in Attachment A.
- Conditions of Approval are located in Attachment B.

Fiscal Impact

No fiscal impacts other than normal fees and taxes are expected.

Public Contact

Notice of Negative Declaration and Public Hearing	Staff Report	Agenda
• Published in the *Sun* newspaper • Posted on the site • 114 notices mailed to the adjacent property owners and residents of the project site	• Posted on the City of Sunnyvale's Website • Provided at the Reference Section of the City of Sunnyvale's Public Library	• Posted on the City's official notice bulletin board • City of Sunnyvale's Website • Recorded for SunDial

Alternatives

1. Approve the Use Permit with attached conditions.
2. Approve the Use Permit with modified conditions.
3. Deny the Use Permit.

Recommendation

Alternative 1.

Prepared by:

Andrew Miner
Project Planner

Reviewed by:

Diana O'Dell
Senior Planner

Attachments:

A. Recommended Findings
B. Recommended Conditions of Approval
C. Site and Architectural Plans
D. Photo Simulations
E. Letter from the Applicant

Findings - Use Permit

1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale. The Wireless Telecommunications Policy promotes retention of local zoning authority when reviewing telecommunications facilities. The zoning code requires that the location of telecommunication facilities be designed with sensitivity to the surrounding areas. The proposed facility is complaint with all wireless telecommunication development standards:

    - The project meets all FCC RF emissions standards.
    - The project is over 70'0" away from the nearest residential building, and the antennas are screened to match the building.
    - The antennas have been designed to blend in with the building so they are not readily visible from any major arterial streets.
    - The project is not visible from the Downtown Specific Plan area of other areas identified in the Telecommunications code as being sensitive.
    - The proposed ground equipment will be located behind the building parapet and will be screened from view.

Telecommunications Policy
Action Statement A.1.e- Support retention of local zoning authority for cellular towers, satellite dish antennas, and other telecommunications equipment, facilities and structures.

The zoning code requires that the location of telecommunication facilities be designed with sensitivity to the surrounding areas. The proposed antennas will be attached to an enlarged roof screen and the appearance is minimized to reduce visual impact on surrounding properties.

Land Use and Transportation Sub-Element
N1.3. Promote an attractive and functional commercial environment.
N1.5 Establish and monitor standards for community appearance and property maintenance.

The project proposal uses existing infrastructure to add additional telecommunications service in the city. The location of the building and the design of the proposed antennas mitigate visual impacts in order to maintain community appearance. The addition of this antenna facility provides for managed development of wireless telecommunications infrastructure, which is a goal of the Telecommunications Ordinance.

2. The proposed use is desirable, and will not be materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the Zoning District as the proposed telecommunication facilities are located on an existing building and will not create a significant visual impact from El Camino Real or the residential apartments behind the property. The proposed project meets the visual standards established by the City for telecommunication facilities as it is designed to create the least possible aesthetic impact while using existing infrastructure.

Conditions of Approval - Use Permit

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions, the Permittee expressly accepts and agrees to comply with the following Conditions of Approval for this Permit.

1. Project-Specific Conditions

a. Obtain Building Permits prior to construction/installation activity.

b. Any major modification or expansion of the approved use shall be approved at a separate public hearing by the Director of Community Development. Minor modifications shall be approved by the Director of Community Development.

c. If not exercised, this Use Permit shall expire two years after the date of approval by the final review authority.

d. The proposed antenna radome structures shall match the color of the existing building.

2. Standard Requirements for Telecommunications Facilities

a. Every owner or operator of a wireless telecommunication facility shall renew the facility permit at least every five years from the date of initial approval.

b. Each facility must comply with any and all applicable regulations and standards promulgated or imposed by any state or federal agency, including, but not limited to, the Federal Communications Commission and the Federal Aviation Administration.

c. Certification must be provided that the proposed facility will at all times comply with all applicable health requirements and standards pertaining to RF emissions.

d. The owner or operator of any facility shall obtain and maintain current at all times a business license issued by the city.

e. The owner or operator of any facility shall submit and maintain current at all times basic contact and site information on a form to be supplied by the city. Applicant shall notify city of any changes to the information submitted within thirty (30) days of any change, including change of the name or legal status of the owner or operator. This information shall include, but is not limited to the following:

   1. Identity, including name, address and telephone number, and legal status of the owner of the facility including official identification numbers and FCC certification, and if different from the owner, the

identity and legal status of the person or entity responsible for operating the facility.

2. Name, address and telephone number of a local contact person for emergencies.

3. Type of service provided.

f. All facilities and related equipment, including lighting, fences, shields, cabinets, and poles, shall be maintained in good repair, free from trash, debris, litter and graffiti and other forms of vandalism, and any damage from any cause shall be repaired as soon as reasonably possible so as to minimize occurrences of dangerous conditions or visual blight. Graffiti shall be removed from any facility or equipment as soon as practicable, and in no instance more than forty-eight (48) hours from the time of notification by the city.

g. Each facility shall be operated in such a manner so as to minimize any possible disruption caused by noise. Backup generators shall only be operated during periods of power outages, and shall not be tested on weekends or holidays, or between the hours of 10:00 p.m. and 7:00 a.m. on weekday nights. At no time shall equipment noise from any source exceed an exterior noise level of 60 dB at the property line.

h. Each owner or operator of a facility shall routinely and regularly inspect each site to ensure compliance with the standards set forth in the Telecommunications Ordinance.

i. The wireless telecommunication facility provider shall defend, indemnify, and hold harmless the city or any of its boards, commissions, agents, officers, and employees from any claim, action or proceeding against the city, its boards, commission, agents, officers, or employees to attack, set aside, void, or annul, the approval of the project when such claim or action is brought within the time period provided for in applicable state and/or local statutes. The city shall promptly notify the provider(s) of any such claim, action or proceeding. The city shall have the option of coordinating in the defense. Nothing contained in this stipulation shall prohibit the city from participating in a defense of any claim, action, or proceeding if the city bears its own attorney's fees and costs, and the city defends the action in good faith.

j. Facility lessors shall be strictly liable for any and all sudden and accidental pollution and gradual pollution resulting from their use within the city. This liability shall include cleanup, intentional injury or damage to persons or property. Additionally, lessors shall be responsible for any sanctions, fines, or other monetary costs imposed as a result of the release of pollutants from their operations. Pollutants means any solid, liquid, gaseous or thermal irritant or contaminant, including smoke, vapor, soot, fumes, acids, alkalis, chemicals, electromagnetic waves and

waste. Waste includes materials to be recycled, reconditioned or reclaimed.

k. Wireless telecommunication facility operators shall be strictly liable for interference caused by their facilities with city communication systems. The operator shall be responsible for all labor and equipment costs for determining the source of the interference, all costs associated with eliminating the interference, (including but not limited to filtering, installing cavities, installing directional antennas, powering down systems, and engineering analysis), and all costs arising from third party claims against the city attributable to the interference.

l. No wireless telecommunication facility shall be sited or operated in such a manner that is poses, either by itself or in combination with other such facilities, a potential threat to public health. To that end no facility or combination of faculties shall produce at any time power densities in any inhabited area that exceed the FCC's Maximum Permissible Exposure (MPE) limits for electric and magnetic field strength and power density for transmitters or any more restrictive standard subsequently adopted or promulgated by the city, county, the state of California, or the federal government.

ATTACHMENT C

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AT&T

AT&T WIRELESS SERVICES, INC.

SITE NO.: SNFCCA1818

SITE NAME: EVELYN & BERNARDO

DRAWING INDEX

DRAWING	REV.
24897-512-A-SNFCCA1818-Z01 TITLE SHEET	1
24897-512-A-SNFCCA1818-Z02 SITE PLAN	1
24897-512-A-SNFCCA1818-Z03 ROOF PLAN & ELEC. & TELCO ROOM PLAN	1
24897-512-A-SNFCCA1818-Z04 EQUIPMENT PLAN AND ANTENNA PLAN	1
24897-512-A-SNFCCA1818-Z05 EXTERIOR ELEVATIONS	1

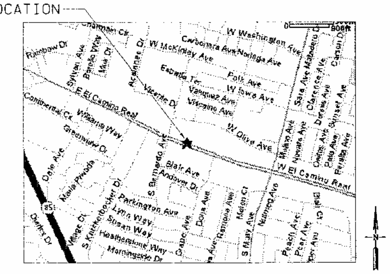
DIRECTIONS

DIRECTIONS FROM AWS OFFICE: SOUTH SAN FRANCISCO

1. TAKE HWY. 101 SOUTH
2. THEN TAKE HWY. 85 SOUTH
3. EXIT HWY. 85 @ EL CAMINO REAL HEADING EAST (LEFT)
4. ARRIVE AT SITE ON LEFT SIDE OF STREET

VICINITY MAP

PROJECT LOCATION



SCALE: N.T.S

PROJECT INFORMATION

SCOPE OF WORK:	AN UNMANNED TELECOMMUNICATIONS FACILITY CONSISTING OF THE INSTALLATION OF (6) PANEL ANTENNAS INSIDE (3) NEW CHIMNEY STRUCTURES AT ROOFTOP AND THE INSTALLATION OF (6) OUTDOOR COMMUNICATION EQUIPMENT CABINETS ON THE ROOF.
SITE ADDRESS:	1165 W. EL CAMINO REAL SUNNYVALE, CA 94087
APN:	161-23-001
PROPERTY OWNER:	CALA, MARIE & VINCENT & JOSEPH & HELEN 1111 W. EL CAMINO REAL SUNNYVALE, CA 94087
CONTACT PERSON:	VINCENT CALA (408) 739-2252
APPLICANT:	AT&T WIRELESS SERVICES INC. 651 GATEWAY BOULEVARD, SUITE 1500 SOUTH SAN FRANCISCO, CA 94080
LATITUDE:	37° 22' 25.5"
LONGITUDE:	122° 3' 7.6"
LAT/LONG TYPE	NAD 83
ELEVATION:	79' AMSL
JURISDICTION:	CITY OF SUNNYVALE
CURRENT ZONE:	C-2 HIGHWAY BUSINESS
PROPOSED USE:	UNMANNED TELECOMMUNICATIONS FACILITY

SITE QUALIFICATION PARTICIPANTS

	NAME	COMPANY	NUMBER
A/E	ROBERT LITTLE	VELOCITEL	(925) 734-6631
SAC	JIM MATTISON	VELOCITEL	(925) 734-6631
CONSTRUCTION	JIM HUXTABLE	VELOCITEL	(925) 734-6631
RF	KEEHOON CHAN	BECHTEL	(650) 24[illegible]-1658
ZONING	HOWARD YEE	VELOCITEL	(916) 7[illegible]-6148

VelociTel
ARCHITECTURE AND ENGINEERING DIVISION
6160-B HACIENDA DRIVE
PLEASANTON, CA 94588
(925) 734-6631
(925) 737-0273 FAX
www.velocitel.net

EVELYN & BERNARDO
SITE NO. SNFCCA1818
1135 EL CAMINO REAL
SUNNYVALE, CA

AT&T
AT&T WIRELESS SERVICES, INC.
651 GATEWAY BOULEVARD, SUITE 1500
SOUTH SAN FRANCISCO, CA 94080

NO.	DATE	REVISIONS	BY	CHK	APP'D
1	10/27/04	ISSUED FOR REVIEW & COMMENTS	K.H.	R.L.	R.L.

SCALE: AS SHOWN | DESIGNED BY: R.L. | DRAWN BY: K.H.

ROOFTOP SITE W/ OUTDOOR EQUIPMENT @ ROOF

TITLE SHEET

JOB NO.	DRAWING NUMBER
24897-512	A-SNFCCA1818-Z01

ATTACHMENT C

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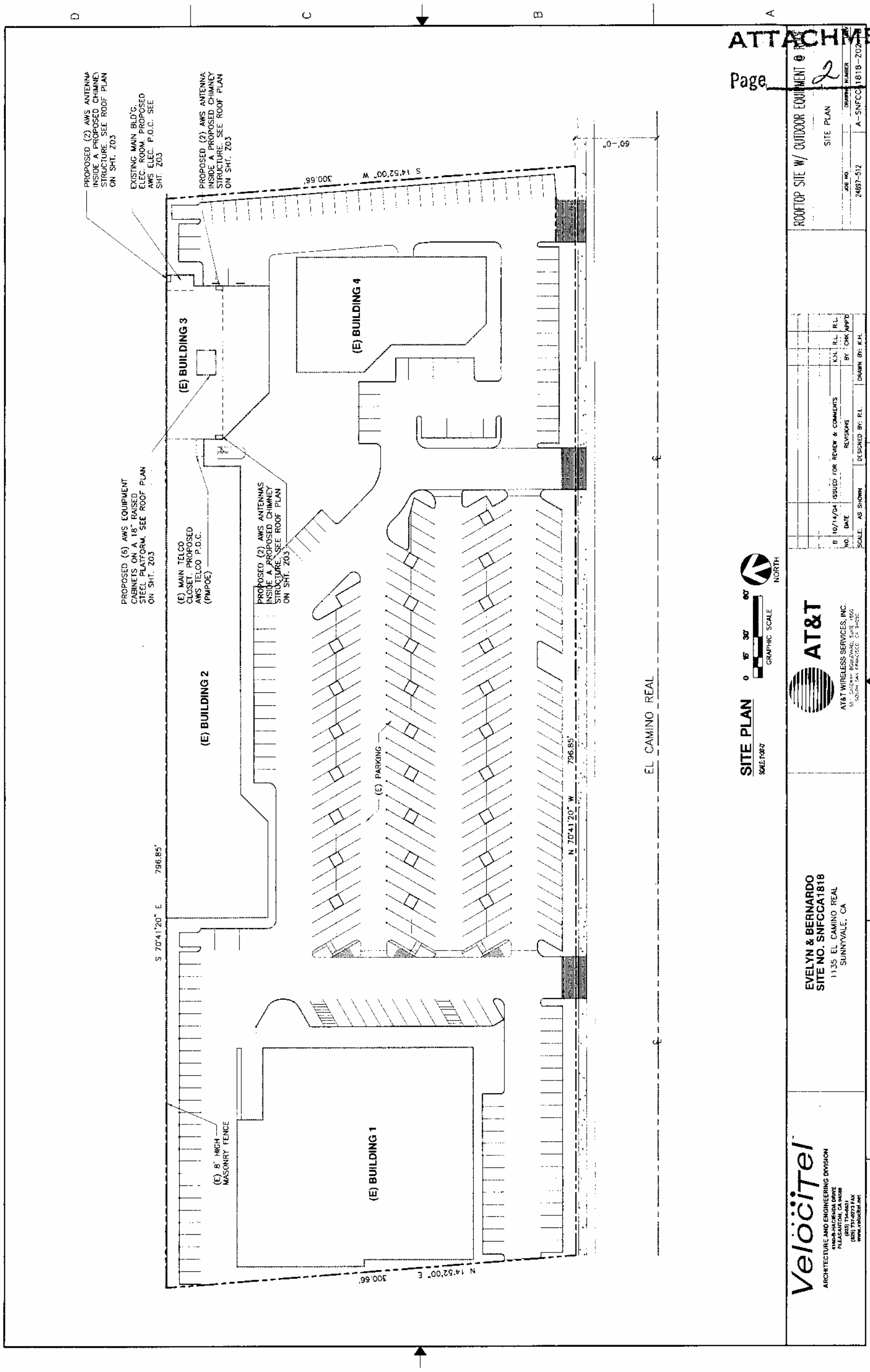

ATTACHMENT C
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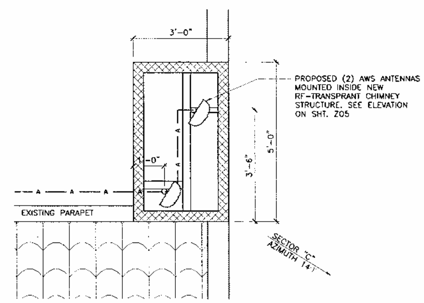
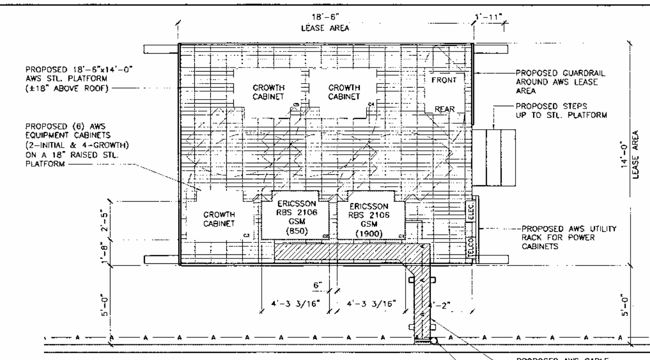


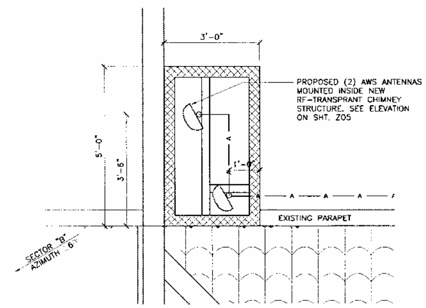
ANTENNA PLAN @ SECTOR C

SCALE: 3/4"=1'-0" GRAPHIC SCALE NORTH


18'-6" LEASE AREA
3'-11"
PROPOSED 18'-6"x14'-0" AWS STL. PLATFORM (±18" ABOVE ROOF)
PROPOSED (6) AWS EQUIPMENT CABINETS (2-INITIAL & 4-GROWTH) ON A 18" RAISED STL. PLATFORM
GROWTH CABINET
GROWTH CABINET
GROWTH CABINET
FRONT
REAR
ERICSSON RBS 2106 GSM (850)
ERICSSON RBS 2106 GSM (1900)
ELEC
TELCO
PROPOSED GUARDRAIL AROUND AWS LEASE AREA
PROPOSED STEPS UP TO STL. PLATFORM
14'-0" LEASE AREA
PROPOSED AWS UTILITY RACK FOR POWER CABINETS
2'-5"
1'-8"
5'-0"
6"
4'-3 3/16"
4'-3 3/16"
1'-2"
5'-0"
PROPOSED AWS CABLE TRAY OVER ROOF SLEEPERS
PROPOSED AWS GPS ANTENNA MOUNTED TO (E) PARAPET

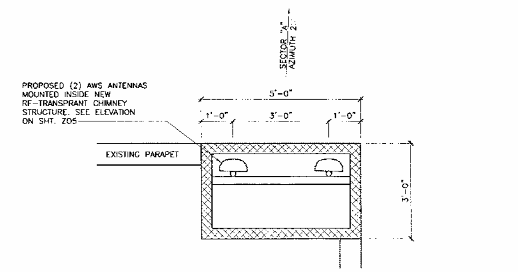
EQUIPMENT PLAN

SCALE: 1/4"=1'-0" GRAPHIC SCALE NORTH



ANTENNA PLAN @ SECTOR B

SCALE: 3/4"=1'-0" GRAPHIC SCALE NORTH



ANTENNA MAUFACTURER/MODEL	L	W	D	CABLE
KATHREIN AP14-17-880-1940-065D	51"	10.3"	4.6"	7/8"

ANTENNA PLAN @ SECTOR A

SCALE: 3/4"=1'-0" GRAPHIC SCALE NORTH

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SCALE: AS SHOWN | DESIGNED BY: R.L. | DRAWN BY: K.H.

ROOFTOP SITE W/ OUTDOOR EQUIPMENT @ ROOF
ANTENNA PLANS & EQUIPMENT PLAN
JOB NO. 24897-512
DRAWING NUMBER A-SNFCCA1818-Z04

ATTACHMENT C

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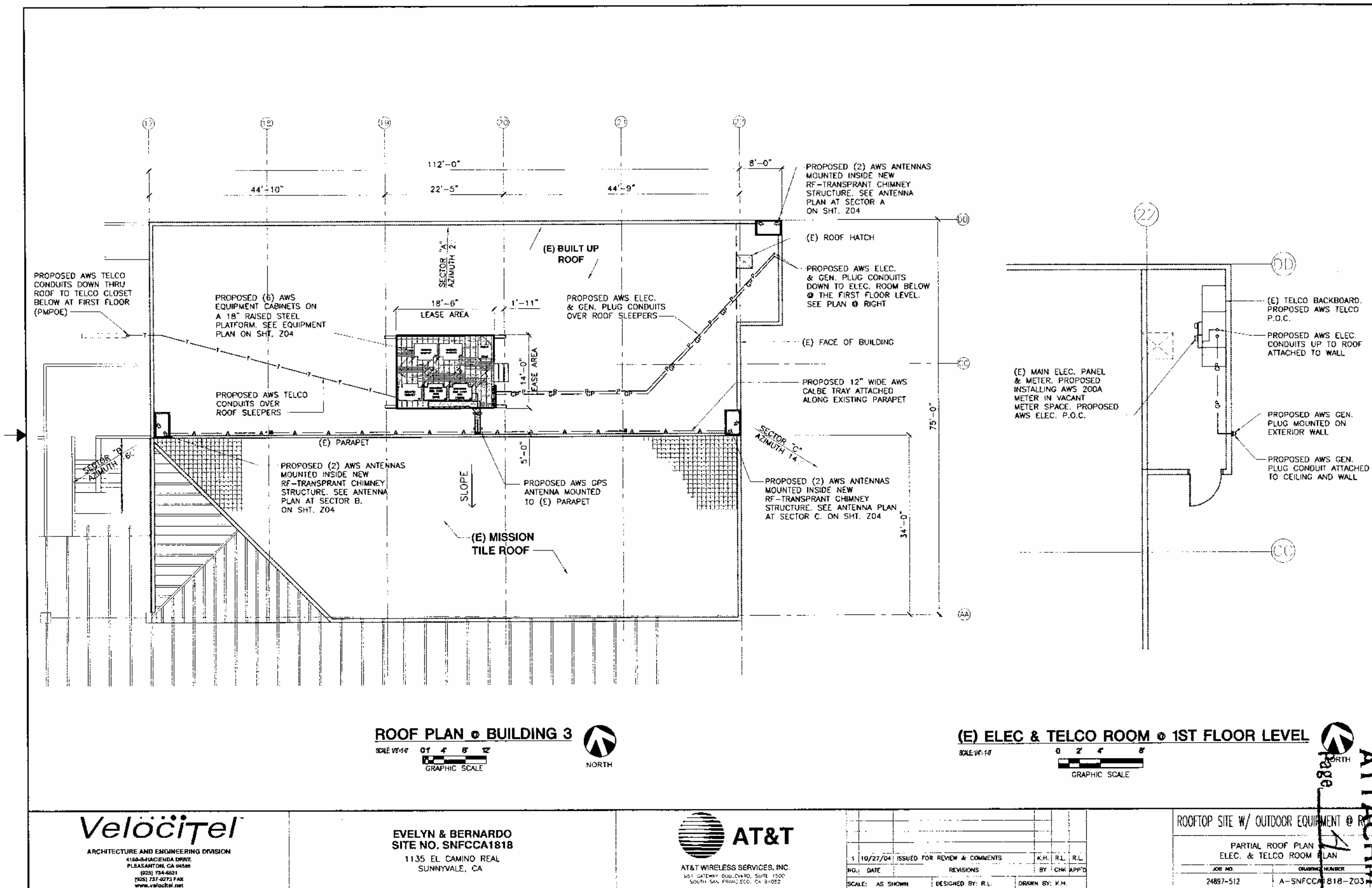

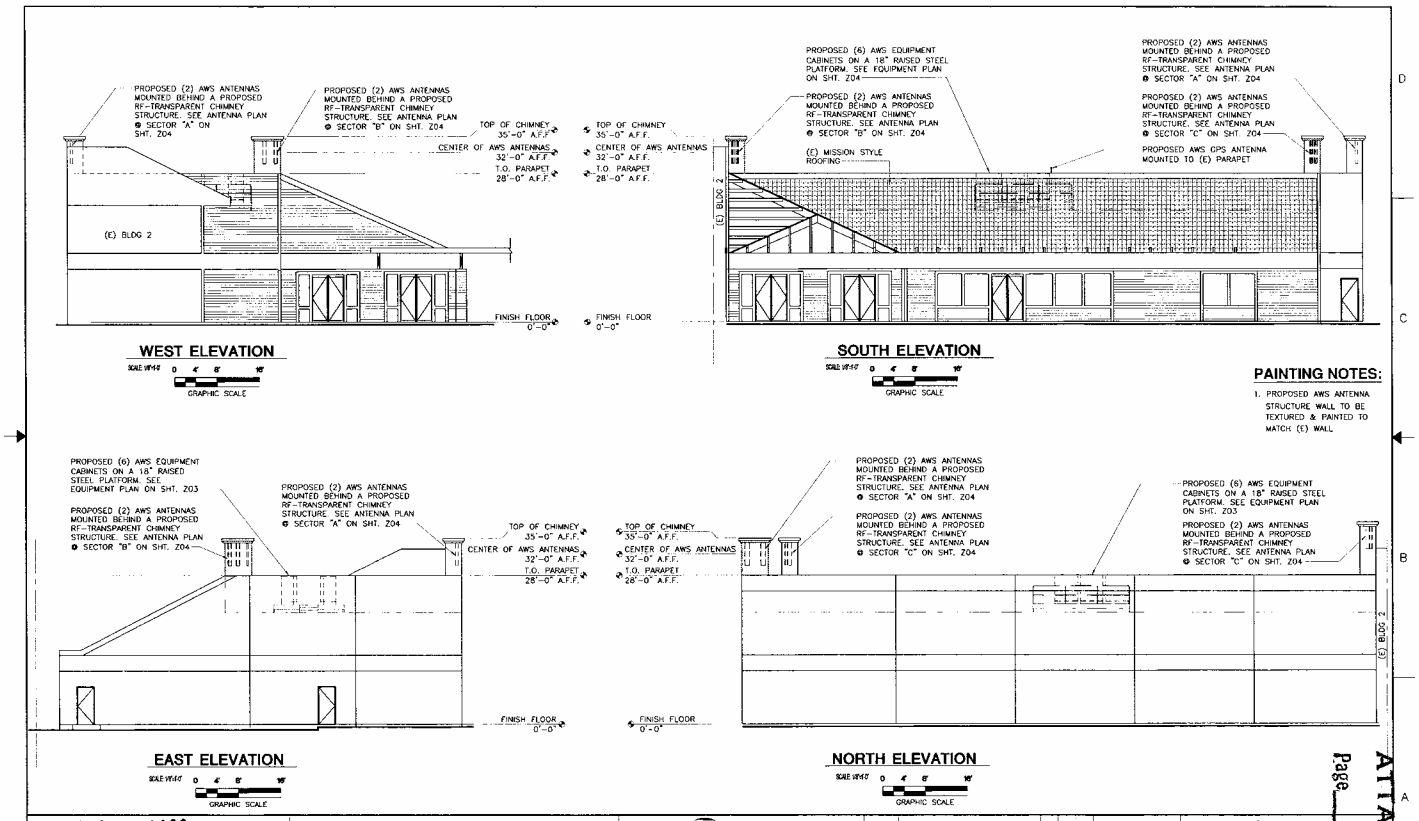

ATTACHMENT 6
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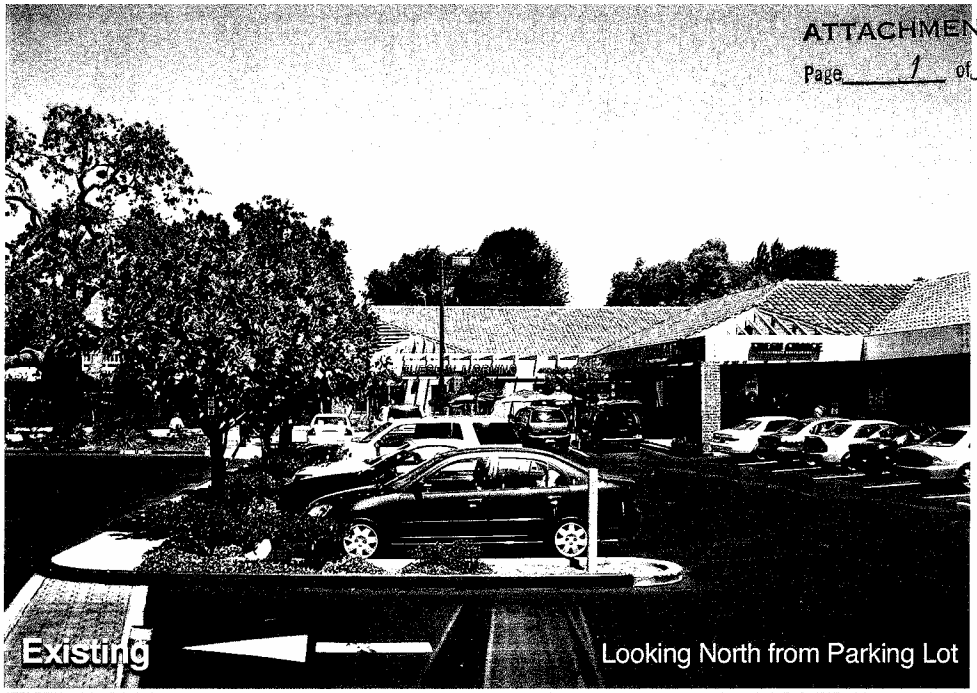
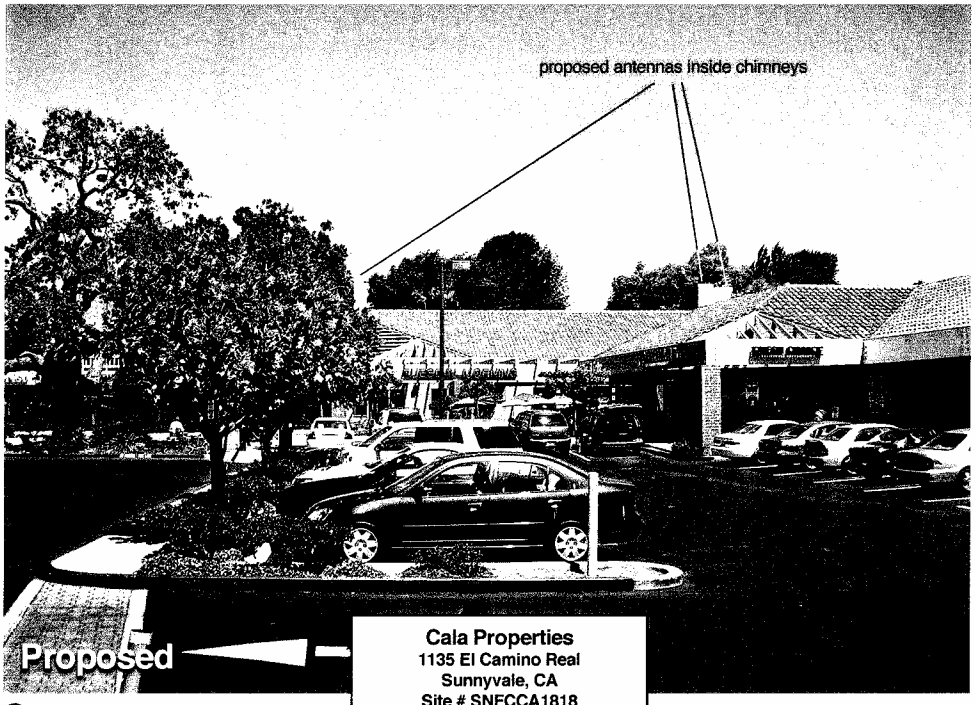




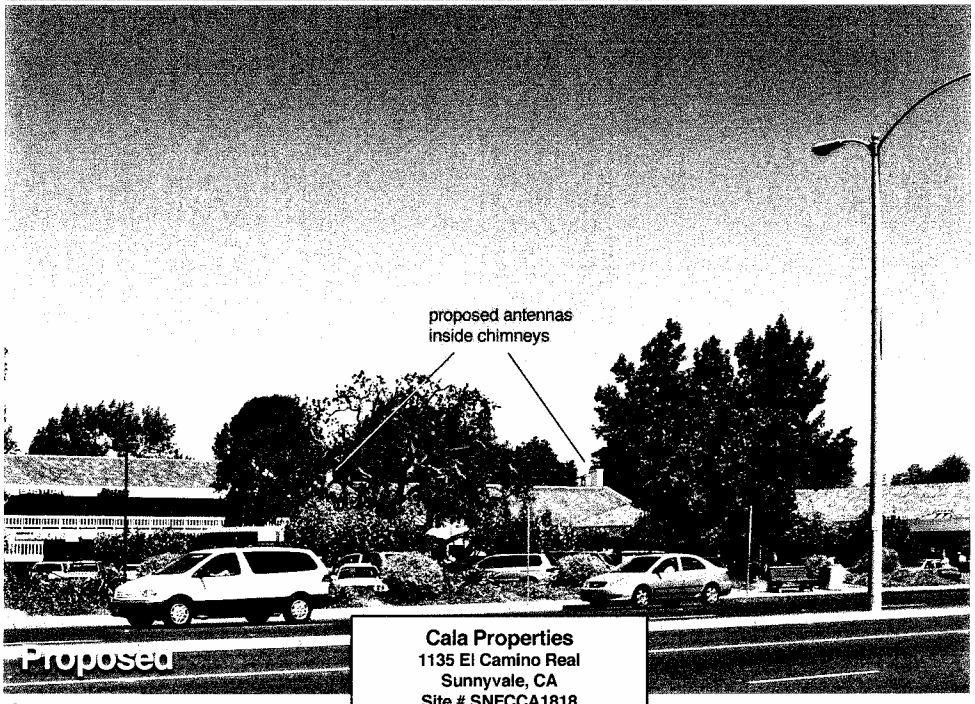
Cala Properties
1135 El Camino Real
Sunnyvale, CA
Site # SNFCCA1818

AT&T 10/27/04

Photosimulation by Applied Imagination 510 914-0500

Existing

Looking North from El Camino Real



Proposed

Cala Properties
1135 El Camino Real
Sunnyvale, CA
Site # SNFCCA1818

AT&T 10/27/04

Photosimulation by Applied Imagination 510 914-0500

PROJECT DESCRIPTION

The subject site is located at 1165 West El Camino Real in Sunnyvale. The property is approximately 5.48 acres and is developed with a retail shopping center. The property is in a commercial corridor (car dealerships and retail commercial uses) and on a major street. A two-story apartment complex is located on the adjacent property to the north.

AT&T Wireless is requesting a Use Permit to allow the construction of a wireless communication facility on the rooftop of the building located at the northeast corner of the property (rear). AT&T's facility consists of six panel antennas, four equipment cabinets, and related electrical, telephone, and coaxial cables. The facility is hidden behind a proposed roof extension and will not be visible from adjacent properties or the street right-of-way. The "stealth" structure is mounted to the existing roof and blends with the existing architectural design of the building.

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USE PERMIT JUSTIFICATION

The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale, in that, the additional wireless communication facility:

1. Promotes universal access to wireless telecommunications services.
2. Enhances the economic vitality of Sunnyvale.
3. Provides additional wireless services to citizens, businesses, and industries.
4. Is consistent with the City's policy to co-locate on existing buildings.
5. Is consistent with the City's policy to locate in non-residential areas.
6. Is compatible with adjacent land uses, which are retail commercial uses.

The proposed use is desirable and not materially detrimental to the public welfare or injurious to the property, improvements or uses within the immediate vicinity and within the zoning district, in that, the wireless communication facility:

1. Is located in a commercially developed area and compatible with surrounding land uses.
2. Utilizes the rooftop of an existing two story building and the antennas are screened with an architectural element that is being added to the structure. The proposed antennas and equipment cabinets will not be visible to adjacent properties or street right-of-way.
3. Is consistent with the City's policies for locating wireless facilities.

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